

**REMARKS**

This Response, filed in reply to the Office Action dated August 3, 2007, is believed to be fully responsive to each point of rejection raised therein. Accordingly, favorable reconsideration on the merits is respectfully requested.

Claims 1, 2, 4-16 and 18-40 are all the claims pending in the application.

**I. Preliminary Matter**

Applicant notes that the Examiner did not initial all of the references listed on the PTO Form 1449 filed on April 5, 2007. Therefore, Applicant requests that the Examiner initial all of the references and provide the Applicant with a signed copy.

**II. Claim Rejections under 35 U.S.C. § 103**

Claims 1-2, 4-16, and 18-40 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Mercer et al. (U.S. Patent No. 7,043,477; hereinafter "Mercer") in view of Gaussier et al. (U.S. Pub. No. 2003/0101187; hereinafter "Gaussier").

**Claim 1**

Claim 1 recites:

A method of managing a media file database (DB), the method is performed by a media file DB managing system, the method comprising:

searching for media files;

automatically creating file directories based on metadata of the media files;

displaying a tree structure of the created file directories;

creating link files for the media files in the file directories;

executing a media file management program; and

reading and navigating the created file directories using the media file management program.

The Examiner asserts that Mercer teaches all of the elements of claim 1 except for automatically creating the file directories, and cites Gaussier to cure the deficiency.

However, contrary to the Examiner's assertions, Mercer does not teach the elements of claim 1 and Gaussier does not cure the deficiencies of Mercer. Mercer is directed to the storage of playlists to a removable computer-readable medium. See col. 5, lines 64-66. Unlike presently available playlists, which are simple flat lists of media files, the playlists of Mercer include one or more groups that allow the user to use a simple navigation metaphor to navigate to the desired group in the playlist. See col. 6, lines 3-10.

Claim 1 recites "searching for media files." The Examiner asserts that col. 7, lines 1-2, Fig. 5, and col. 7, line 58 to col. 8, line 2 of Mercer teaches this aspect of the claim. The respective column and lines of Mercer cited by the Examiner discloses that for each input media file, the authoring software determines if the input media file includes audio data, video data, image data or a playlist. If the media file includes such data, then the metadata is obtained from the input media file for use in defining groups. However, contrary to the Examiner's assertions, there is no teaching or suggestion of searching for media files. The media files in Mercer appear to be provided by a user for storage to a removable computer-readable medium.

Claim 1 further recites "creating link files for the media files in the file directories." The Examiner asserts that col. 5, lines 15-16, col. 6, lines 43-50, col. 7, lines 8-10, and col. 19, lines 35-40 of Mercer teaches this aspect of the claim. The respective column and lines of Mercer cited by the Examiner discloses that the group header may include a memory location offset to a next playlist group, a memory location offset to a previous playlist group or a pointer to a memory location associated with another playlist group. The playlist group includes a group header which includes a value identifying the playlist group and references to other playlist

groups. However, there is no teaching or suggestion that link files are created for media files in the file directories as claimed.

Further, it does not appear that link files would be used in Mercer since Mercer is directed to the storage of media files to a removable computer-readable medium. Specifically, it is unlikely that link files for the media files are created as it appears that the entire media files are transferred to the computer readable medium of Mercer.

Claim 1 further recites “executing a media file management program and reading and navigating the created file directories using the media file management program.” The Examiner asserts that the media file management program corresponds to the software program in the Mercer system that creates the directory, citing col. 6, lines 60-63 and col. 4, lines 39-43 of Mercer in support. Further, the Examiner asserts that Fig. 7 of Mercer discloses the claimed reading and navigating of created file directories.

As discussed above, the authoring software determines if the input media file includes audio data, video data, image data or a playlist. If the media file includes such data, then the metadata is obtained from the input media file for use in defining groups. The authoring software analyzes all the media files that the user has selected to write to the medium to construct playlists to give the user a rich experience when the media files are rendered by a compliant media player. See col. 7, lines 58-62. However, there is no teaching or suggestion that the authorizing software, which is used to create playlists, reads or navigates created file directories, as claimed.

The Examiner states that Mercer does not teach automatically creating file directories based on metadata of the media files, and cites Gaussier to cure the deficiency. However, Gaussier does not cure the deficiencies of Mercer. Further, the Examiner cites Gaussier para. 95

for teaching this aspect of the claim. However, the aspect of Gaussier cited by the Examiner discloses the automatic creation of titles for a cluster or node. Gaussier does not teach automatically creating file directories based on metadata of the media files, as claimed.

Consequently, claim 1 and its dependent claims should be deemed allowable. To the extent independent claims 2, 15 and 16 recite similar subject matter, claims 2, 15, and 16 and their dependent claims should be deemed allowable for at least the same reasons.

### **Claims 27 and 28**

Claim 27 recites "wherein the media file DB is managed and played through WINDOWS EXPLORER." The Examiner asserts that col. 1, lines 30-34 and col. 17, lines 4-47 of Mercer teaches this aspect of the claim. The respective column and lines of Mercer cited by the Examiner discloses that computers have access to compressed media files such as WINDOWS MEDIA technologies audio files. Further, the computer readable medium can be volatile or non-volatile, and may comprise storage media and communication media. However, there is no teaching or suggestion that the media file DB, which is stored on a computer-readable medium in Mercer, is managed and played through WINDOWS EXPLORER as claimed.

For at least the above reasons, claim 27 should be deemed allowable. To the extent claims 28, and 37-40 recite similar subject matter, they should be deemed allowable for at least the same reasons.

### **III. Conclusion**

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

RESPONSE UNDER 37 C.F.R. § 1.111  
Application No.: 10/764,510

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The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,

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